

REMARKS

Applicants respectfully traverse and request reconsideration.

Claim Amendments

Claims 1-5, 7, 9, 11-15 and 17-19 have been amended. Each of claims 1, 7, 11 and 17 have been amended to indicate that the bounding volume object is a geometric representation of a specific object identified as geometry whose visibility status is desired. Applicants submit that the substitution of the word “comprises” for the word “is” constitutes an inherent amendment. In other words, in this context, the term “is” is inherently synonymous with the term “comprises.” Other claim amendments correct typographical errors, correct antecedent basis or correct dependencies. Accordingly, no new matter is believed to have been added.

Claim Rejections

Claims 1-7 and 9-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,577,317 B1, Duluk, Jr. et al. (“Duluk”). The claim language at issue in claim 1, prior to the current amendment, required a “method for object based culling comprising”, among other things, “comparing each of the plurality of draw packets to a bounding volume object, wherein the bounding volume object comprises a geometric representation of a specific object identified as geometry whose visibility status is desired.” (Claim 1, prior to the instant Amendment and Response, emphasis added). In the Office’s “Response to Arguments” Section, the Examiner appears to analogize the claimed “bounding volume object” with the view volumes in Duluk. (Office action, p. 8). Noting that Duluk allegedly provides a viewing volume that may contain an object of color that may be visible, the Office concludes that claim 1 has been anticipated. The “Response to Arguments” section further provides that “it appears to the Examiner that the Applicant is implying that the bounding volume [not the bounding volume object, as claimed] is in fact a visible object. If this is the case the Examiner does not feel the

respective claim language supports this position.” (Office action, p. 8). Applicants submit that these comments ignore the claim term “object” in “bounding volume object”. Accordingly, Applicants disagree with the above rejection.

To advance prosecution, however, Applicants have amended independent claims 1, 7, 11 and 17 to substitute the word “is” for the claim term “comprises”. Accordingly, claim 1 now requires: “comparing each of the plurality of draw packets to a bounding volume object, wherein the bounding volume object is a geometric representation of a specific object identified as geometry whose visibility status is desired.” (Claim 1, emphasis added). Because Applicants are unable to find any teaching in the cited publication that suggests a comparison of a plurality of draw packets to a bounding volume object (i.e., not a viewing volume that corresponds to, e.g., a frustum), wherein the bounding volume object is a geometric representation of a specific object identified as geometry whose visibility status is desired, claim 1 appears to be in proper condition for allowance.

In the previous office action, the Examiner cited the frustum or viewing volume provided in Duluk’s FIG. 1 as being analogous to claim 1’s “bounding volume object”, and cited the triangulated object for display, also in Duluk’s FIG. 1, as being analogous to claim 1’s “geometric representation of a specific object identified as geometry whose visibility status is desired”. Applicants presume that because the claim previously stated that the bounding volume object comprises the geometric representation of a specific object, the Office improperly ignored the claim term “object” and rejected the claim noting that the viewing volume in Duluk’s FIG. 1 included a rasterized object (i.e., an object projected onto the viewing plane). (Duluk, FIG. 1, Office action, p. 3). While the Office’s rejection prior to the instant amendment is faulty for at least the reason that it ignores claim language (e.g., “bounding volume object”), the rejection can

no longer be maintained following the instant amendment, which substitutes the term “is” for the term “comprises”. The rejection can no longer be maintained because a view volume (e.g., the view volume of Duluk’s FIG. 1) does not appear to be a geometric representation of a specific object identified as geometry whose visibility status is desired.

The above remarks equally apply to the Examiner’s additional comment in its “Response to Arguments” section where it is stated that “there exists something other than [a hypothetical object of color in view volume] which is visibly identifiable (e.g., space).” (Office action, p. 8). Without taking a position on whether “space” may be visible to a user during display of an image, neither the view volume or “space” appears to constitute a geometric representation of a specific object identified as geometry whose visibility status is desired.

For each of the above reasons, claim 1 is believed to be in proper condition for allowance. Because each of independent claims 7 and 11 contain the same or similar limitations as presented above with respect to claim 1, claims 7 and 11 are also believed to be allowable over the cited publication. Each of dependent claims 2-6, 9-10 and 12-16 depend from allowable claims 1, 7 and 11 and are further believed to add additional novel, non-obvious and patentable subject matter. For each of the aforementioned reasons, the above-listed dependent claims are also believed to be in condition for allowance.

Claims 17-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Duluk in view of U.S. Patent No. 5,886,702 to Migdal et al. Claim 17 contains the same or similar limitations as presented above with respect to claims 1, 7 and 11. Because the Examiner cites the same portion of Duluk as allegedly teaching these limitations, claim 17 is in proper condition for allowance for at least the same reasons as provided above. Finally, each of dependent claims 18 and 19 depend from allowable claims 17 and are further believed to add additional novel,

non-obvious and patentable subject matter. For each of the aforementioned reasons, the above-listed dependent claims are also believed to be in condition for allowance.

Accordingly, Applicants respectfully submit that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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